



H.R. 1483 – To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes

EXECUTIVE SUMMARY

Representative Ralph Regula (R-OH) introduced H.R. 1483 on March 12, 2007. The bill, as amended, was approved by the House Committee on Natural Resources by a vote of 23 to 12 on September 26, 2007. The bill is expected to be considered on the floor under a closed rule on October 23, 2007.

H.R. 1483, as introduced, would have extended funding authority for nine of the National Heritage Areas established in 1996. During Committee consideration, a Democrat substitute amendment passed, adding provisions for establishing six new NHAs (including an increase in the funding authority from \$10 million to \$15 million for each).

Republicans on the Natural Resources Committee expressed concerns regarding the bill's treatment of private property rights as well as its spending. The Congressional Budget Office scored the bill at \$6 million in 2008 and \$46 million over the 2008-2012 period.

FLOOR SITUATION

H.R. 1483 is being considered on the floor under a closed rule. The rule:

- Provides one hour of debate equally divided and controlled by the Chairman and Ranking Republican Member of the Natural Resources Committee.
- Waives all points of order against consideration of the bill and the amendments except those arising under clause 9 (earmarks) and 10 (PAYGO) of Rule XXI.
- Provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the self-enacting amendment printed in the report of the Committee on Rules, shall be considered as adopted and read.
- Waives all points of order against provisions of the bill, as amended. This waiver does not affect the point of order under clause 9 (earmarks) of Rule XXI.
- Provides one motion to recommit with or without instructions.

- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

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BACKGROUND

Congress can designate lands with natural, cultural, historic, or recreational significance as National Heritage Areas (NHAs). While these lands are not federally-controlled, the Congressional designation provides funding and requires the development of a strategic plan for preserving and enhancing the area. NHAs are typically managed by a State or local agency, a Federal commission, or a private nonprofit entity. NHAs are intended to be self-sufficient units in the long-term, with the federal government only providing funding for a limited period at the beginning. There are currently 37 NHAs designated by Congress.

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Congressman Rob Bishop (R-UT) offered several amendments to address Republican concerns during the Committee markup. One of his amendments would have strengthened the private property protections in the bill by requiring the local management entity to get written consent from the landowner prior to their property being conserved, preserved, or promoted. This amendment was rejected. According to the Republican Dissenting Views section of the Committee Report, "Democrats contend that the bill language offers protection because owners are not required to participate. They fail to mention that property owners remain under the same sphere of influence of the management entity because they are in the Congressionally designated boundaries."

SUMMARY

Extension of Authorized Appropriations: H.R. 1483 would increase total authorized funding for 9 previously designated National Heritage Areas (NHAs) from \$10 million to \$15 million each. The NHAs include: 1) America's Agriculture Heritage Partnership (IA); 2) Augusta Canal (GA); 3) Essex (MA); 4) Hudson River Valley (NY); 5) National Coal Heritage Area (WV); 6) Ohio and Erie Canal (OH); 7) Rivers of Steel (PA); 8) South Carolina National Heritage Corridor (SC); and 9) Tennessee Civil War Heritage Area (TN). These NHAs were established in 1996 by P.L. 104-333.

In addition to authorizing funding, the bill requires the Secretary of the Interior to evaluate the accomplishments of each NHA and include recommendations for the future role of the National Park Service.

Six New National Heritage Areas: The bill establishes six new National Heritage Areas (detailed below). It authorizes \$15 million (no more than \$1 million per fiscal year) for each new NHA. Authority for the federal assistance expires 15 years after enactment.

The Secretary is required to conduct an evaluation of the accomplishments of the six National Heritage Areas and report to Congress on the progress of each one. Additionally, the local coordinating entities of each new NHA must submit an annual report describing the goals and accomplishments as well as financial details of the NHA for each fiscal year it receives federal funding. The financial records of each of the six new NHAs must also be available for auditing.

The NHAs are prohibited from using federal funds to purchase real property. The bill states that property owners' rights shall not be limited in any way and that they have the option to refrain from participating in activities within the NHA.

Note: Committee Republicans raised concerns that private property owners would not have sufficient protection to remove their land from the activities of the NHA.

The Journey Through Hallowed Ground National Heritage Area: The bill establishes the "Journey Through Hallowed Ground National Heritage Area" on a 175-mile region generally following along the Route 15 corridor, including areas in Pennsylvania, Maryland, West Virginia, and Virginia. The unique purpose of this NHA would be to recognize and interpret the effect of the Civil War on this area during the war and post-war reconstruction.

H.R. 1483 designates a Virginia non-profit, the Journey Through Hallowed Ground Partnership, as the managing local entity for the NHA. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

Reps. Frank Wolf (R-VA) and Roscoe Bartlett (R-MD) each introduced bills regarding this NHA, H.R. 319 and H.R. 1270 respectively. The Natural Resources Committee approved the H.R. 319, as amended, by voice vote on March 7, 2007.

Note: Representatives Roscoe Bartlett (R-MD) and Virgil Goode (R-VA) requested that their districts be removed from The Journey Through Hallowed Ground National Heritage Area. Their requests, however, were rejected by the Committee.

Niagara Falls National Heritage Area: The bill establishes the "Niagara Falls National Heritage Area" in upstate New York around the mouth of the Niagara River on Lake Ontario. The unique purpose of this NHA would be to conserve and interpret the history of hydroelectric power in the U.S. and its role in the American economy.

H.R. 1483 designates the Niagara Falls National Heritage Commission as the managing local entity for the NHA for the first five years. This Commission will consist of 17 members

appointed by the Interior Secretary in consultation with federal, State, and local government officials as well as local Indian tribes. After five years, the Commission must appoint a private nonprofit or governmental organization as the managing local entity. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

This section of the bill is based on the Niagara Falls National Heritage Area Act (H.R. 713), which was introduced by Rep. Louise Slaughter (D-NY) on January 29, 2007. The Natural Resources Committee approved the bill, as amended, by voice vote on May 2, 2007.

Note: Committee Republicans pointed out that there is a casino “at the heart of the economic redevelopment plan that this bill is designed to promote... We believe advocacy for gaming should never be a part of legislation to establish heritage areas.”

Muscle Shoals National Heritage Area: The bill establishes the “Muscle Shoals National Heritage Area” in Alabama. The unique purpose of this NHA would be to recognize and interpret how its distinctive geography shaped the development of settlement, defense, transportation, commerce, and culture of the area.

H.R. 1483 designates the Muscle Shoals Regional Center as the managing local entity for the NHA. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

This section of the bill is based on the Muscle Shoals National Heritage Act (H.R. 1145), which was introduced by Rep. Bud Cramer (D-AL) on February 16, 2007. The Natural Resources Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on July 12, 2007.

Note: Committee Republicans argue that the feasibility study for this NHA has not been completed yet and that “it would be shortsighted and irresponsible to establish this heritage area and write a \$15 million check when the necessary preparation has not been completed.

Freedom’s Way National Heritage Area: The bill establishes the “Freedom’s Way National Heritage Area,” which includes areas in both Massachusetts and New Hampshire.

H.R. 1483 designates the Freedom’s Way Heritage Association, Inc., as the managing local entity for the NHA. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

This section of the bill is based on the Freedom’s Way National Heritage Area Act (H.R. 1297), which was introduced by Rep. John Olver (D-MA) on March 1, 2007. The Natural Resources Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on July 12, 2007.

Abraham Lincoln National Heritage Area: The bill establishes the “Abraham Lincoln National Heritage Area” in Central Illinois. The unique purpose of this NHA would be to recognize and

interpret the distinctive role the region played in shaping Abraham Lincoln and how his life left its traces in the stories, folklore, buildings, streetscapes, and landscapes of the region.

H.R. 1483 designates the Looking for Lincoln Heritage Coalition as the managing local entity for the NHA. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

This section of the bill is based on the Abraham Lincoln National Heritage Area Act (H.R. 1625), which was introduced by Rep. Ray Lahood (R-IL) on March 21, 2007. The Natural Resources Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on June 14, 2007.

Santa Cruz Valley National Heritage Area: The bill establishes the “Santa Cruz Valley National Heritage Area” in Southern Arizona along the border with Mexico.

H.R. 1483 designates the Santa Cruz Valley Heritage Alliance, Inc., as the managing local entity for the NHA. Within 3 years they must submit a management plan for the National Heritage Area to the Interior Secretary for approval.

This section of the bill is based on the Santa Cruz Valley National Heritage Area Act (H.R. 1885), which was introduced by Rep. Raul Grijalva (D-AZ) on April 17, 2007. The Natural Resources Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on July 12, 2007.

Northern Neck National Heritage Area: The bill requires the Secretary of the Interior, in consultation with appropriate State and local organizations, to conduct a feasibility study for establishing a national heritage area in the Northern Neck region of Virginia.

This section of the bill is based on the Northern Neck National Heritage Area Study Act (H.R. 105), which was introduced by Rep. Jo Ann Davis (R-VA) on January 4, 2007. The Natural Resources Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on July 12, 2007.

Sense of Congress Regarding Funding: The bill states that it is the Sense of Congress that the Federal Government should not fund a national heritage area in perpetuity.

ADDITIONAL VIEWS

“The Grijalva amendment in the nature of a substitute (ANS) passed by the Democrats is a thumb in the eye to private property rights advocates and fiscal responsibility. Inexplicably the Democrats gave the six new heritage areas included in the ANS a \$5 million raise over what was requested in their respective bills as introduced. Each heritage area will now receive \$15 million in federal money and remain eligible for additional federal funds. The total cost of the bill with the Democrat ANS is over \$135 million.” (Dissenting View Section of the Committee Report, 10/18/2007)

ADDITIONAL INFORMATION

[National Park Service: National Heritage Areas Website](#)

[The Journey Through Hallowed Ground Website](#)

[Freedom's Way National Heritage Area Website](#)

[Santa Cruz Valley Heritage Alliance Website](#)

COST

“Assuming appropriation of the authorized amounts, CBO estimates that the National Park Service (NPS) would spend \$6 million in 2008 and \$46 million over the 2008-2012 period to implement H.R. 1483. An additional \$60 million would be spent after 2012.” ([Congressional Budget Office Estimate](#), 10/10/2007)

AMENDMENTS

Self-Enacting Amendment that will be considered approved upon adoption of the Rule

The amendment is a technical correction that inserts a map reference for a map that was not completed by the National Park Service prior to filing the reported bill.

STAFF CONTACT

For questions or further information contact Shea Loper at (202) 226-2302.